

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2004-070014

09/19/2008

HONORABLE WILLIAM L. BROTHERTON JR.

CLERK OF THE COURT

J. Hill

Deputy

IN RE THE MATTER OF
ELIZABETH ANN BOGAT

ELIZABETH A TODD

AND

CHARLES STEPHEN BOATWRIGHT

CHARLES STEPHEN BOATWRIGHT
10463 W MEDLOCK DR
GLENDALE AZ 85307

HEARING

Prior to the commencement of the hearing, Petitioner's exhibits 1 through 6 were marked for identification as "Plaintiff's" exhibits.

Northwest Facility, Courtroom 121

9:05 a.m. This is the time set for an Evidentiary Hearing regarding parenting time and child support. Petitioner/Mother Elizabeth Bogat is present and represented by counsel, Elizabeth A. Todd. Respondent/Father Charles Boatwright is present and representing himself.

An audio and video recording is made by the JAVS system in lieu of a court reporter.

Elizabeth Bogat and Charles Boatwright are sworn.

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The Court is advised that the parties have reached an agreement, which is more fully set forth on the record and can be generally summarized as follows:

Father will have parenting time every other weekend from 6:00 p.m. on Friday until 5:00 p.m. on Sunday;

Parent/child exchanges will take place at the Burger King at Miller Road and the I-10 Freeway;

Father will have the child during the week prior to Christmas in even years and Mother will pick the child up at 10:00 a.m. on Christmas Day;

Father will have the child on Thanksgiving in even years from 6:00 p.m. on Wednesday through 5:00 p.m. on Sunday;

Father will have the child on Easter in even years;

Father will have the child on Father's Day;

Mother will have the child on Mother's Day;

Any weekend that Father has the child according the regular parenting time schedule that is a holiday weekend shall be extended to 5:00 p.m. on Monday;

Petitioner and Respondent, previously sworn, now testify that they have heard and understood the agreement as stated on the record and that it is accurate.

The Court finds that the agreement entered into between the parties is fair, reasonable and in the best interests of the parties' minor child.

The Court further finds that the parties have knowingly, voluntarily and intelligently entered into the agreement, without duress or coercion, and that the parties are fully informed as to the contents of this agreement.

IT IS THEREFORE ORDERED approving and adopting the agreement of the parties, as stated on the record, as a binding agreement pursuant to Rule 69, Arizona Rules of Family Law Procedure.

Discussion is held regarding status of the case and pending issues.

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Elizabeth Bogat testifies.

Petitioner's exhibits 3, 4 and 6 are received in evidence.

Charles Boatwright testifies.

IT IS ORDERED that Father shall not consume alcohol during his parenting time or within 24 hours of commencement of his parenting time.

IT IS FURTHER ORDERED that Mother may request that Father participate in no more than three hair follicle tests during the time period of one year from this date. Father shall comply with Mother's requests for drug testing. If the test results are negative, Mother shall reimburse Father for his testing costs. If any of the tests are positive, Father will not be reimbursed for his testing costs and further orders may entered by the Court.

IT IS FURTHER ORDERED that Father shall not drive with the child in the car unless he has a valid driver's license.

IT IS FURTHER ORDERED that Father may take the child out of the state of Arizona with at least 30 days advance notice to Mother.

IT IS FURTHER ORDERED that the parties shall abide by a week-on, week-off schedule during the summer.

IT IS FURTHER ORDERED that each party shall be entitled to two weeks of uninterrupted parenting time during the child's summer break from school. Each party shall provide the other party with 30 days advance notice of his/her intended two week period of parenting time.

IT IS FURTHER ORDERED pursuant to the agreement of the parties that Father shall provide the child with a cell phone, at Father's expense. Father shall provide Mother with the cell phone number. Each party may call the child on the cell phone at a reasonable time while the child is in the other parent's care.

Counsel for Petitioner requests an award of attorney fees.

For the reasons stated on the record,

IT IS ORDERED denying Petitioner's request for attorney fees.

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Pursuant to the agreement of the parties,

IT IS FURTHER ORDERED affirming the current Child Support Order.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

September 19, 2008

/ s / William L. Brotherton, Jr.

DATE

HONORABLE WILLIAM L. BROTHERTON JR.
JUDGE OF THE SUPERIOR COURT

10:02 a.m. Matter concludes.

LATER:

IT IS FURTHER ORDERED releasing Petitioner's exhibits 1, 2 and 5 to counsel for Petitioner.

LET THE RECORD REFLECT that counsel for Petitioner signed an Exhibit Release Form and took immediate possession of the released exhibits in open court.

ISSUED/FILED: Exhibit Worksheet; Exhibit Release Form (1)

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.